

SECRET

OGC 9-1654a

24 NOV 1959

OGC Has Reviewed

MEMORANDUM FOR: Chief, Support Staff, Eastern Europe Division

SUBJECT: Interpretation of [] Standards for
Assessment of Pecuniary Liability in Connection
with Motor Vehicle Accidents

25X

1. Your memorandum of 10 November 1959 requested an interpretation of the provisions of paragraph 4b(3) of [] and you inquired in particular whether or not this paragraph was to be applied to the case of a vehicle damaged when being operated for official duty purposes.

25X1A

2. In reply, we wish to advise you that paragraph 4b(3) of [] does not encompass both official and authorized personal use of an assigned vehicle. Paragraph 4b(3) relates only to the case of authorized use of a vehicle for personal activities; under this regulation such use is no longer to be construed as "official use", but is a separate category called "authorized personal use." The authorized personal use, as paragraph 4b(3) states, may be of such a kind as to have a connection with official duties, security, cover, welfare, or other authorized purposes. If an individual who is authorized to make personal use of an official or quasi-personal vehicle is ordinarily negligent while the vehicle is being used on authorized personal activities, the pecuniary liability formula in paragraph 4b(3) should be applied.

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3. Where a Government-owned vehicle is damaged during the course of its official use as a result of the gross negligence of the user, he will be found pecuniarily liable to pay the entire cost of repairs or the net amount of loss. This is within the meaning of paragraph 4b(1) of []. However, paragraph 4b(1) should be understood also to mean that where the aforementioned user was only ordinarily negligent in causing the expense, he will not be held pecuniarily liable in any amount.

25X1A

4. [] does not alter the existing prerogative of a Chief of Station or Base to take appropriate administrative action whether or not a pecuniary assessment is involved.

25X1A

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Assistant General Counsel

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

06C9-1654
STATINTL

ATINTL

FROM:

Chief, EE Support Staff

NO.

DATE

10 November 1959

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

RECEIVED

FORWARDED

1.

EE/LOG

for coordination

2.

3.

OGC

HRC

10/24/59

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